

# ESTILL COUNTY WATER DISTRICT

ESTILL COUNTY WATER DISTRICT #1

OF

IRVINE, KENTUCKY 40336

Rates, Rules and Regulations for Furnishing  
Water Service

AT

ESTILL COUNTY, KENTUCKY

Filed with PUBLIC SERVICE COMMISSION OF  
KENTUCKY

ISSUED... May 27....., 1992...

EFFECTIVE....., 19.....

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 14 1992

PURSUANT TO 807 KAR 5:011.  
SECTION 9 (1)

BY: Chas. H. Hall  
PUBLIC SERVICE COMMISSION MANAGER

ESTILL COUNTY WATER  
DISTRICT NO. 1  
ISSUED BY.....  
(Name of Utility)

BY: Archie McIntosh.....

Archie McIntosh, Chairman  
.....

P.S.C. Ky. No. 7335

Original Sheet No. 2

Cancelling P.S.C. Ky. No.

Sheet No.

ESTILL COUNTY WATER DISTRICT NO. 1

## RULES AND REGULATIONS

## TERRITORY OF ESTILL COUNTY WATER DISTRICT NO. 1

## TRACT NO. I

Beginning at the Lee County Boundary line at the centerline of the Kentucky River, thence along the centerline of the Kentucky River in a Northwesternly direction to the centerline of the Kentucky River to the Madison County Boundary line; thence in a southernly direction along the Madison County Boundary line to the Jackson County Boundary line; thence in a Easternly direction along the Jackson County Boundary line to the Lee County Boundary line; thence in a Northeasternly direction along the Lee County boundary line to the beginning at the centerline of the Kentucky River; Estill County Water District No. 1, as enlarged includes all of the territory in Estill County, Kentucky, South of the Kentucky River.

## TRACT NO. II

Beginning at a point in the centerline of the Kentucky Highway 89 where the bridge of Sweet Lick Creek crosses Highway 89 going in a Northeastern direction to a point on the Estill County, Powell County line known as Marble Yard. Following the Estill County, Powell County line to Red River, following Red River to where Red River enters into the Kentucky River. Following up the Kentucky River to a point on the Eastern side of the Kentucky River Northwest of Irvine. This is a point known as the old West Irvine Bridge embuttment. From there a straight line back to the starting point in the centerline of Highway 89 at Sweet Lick Bridge.

There are excepted and excluded from said Tract No. II the following tracts of land:

TRACT NO. 1: Beginning at a point in a corner of the existing corporate limits of the City of Irvine, Kentucky, said point being 780 feet west of the center of Main Street; and 55 feet south of the centerline of Rice Street, if extended; thence north 740 feet to a point; thence north 42° east 230 feet to a corner to Edgewood Estates, said corner being also in the east right-of-way line of Kentucky 89; thence with the northwest boundary of Edgewood Estates north 63° 56' east 213 feet; north 58° 19' east 28.6 feet; north 50° 09' east 58.4 feet; north 39° 15' east 715.8 feet; and north 54° 28' west 168.1 feet to a corner, said corner being the northern most corner of Edgewood Estates; thence with the northeast boundary of Edgewood Estates south 44° 53' east 789.5 feet to a corner, said corner being the eastern most

DATE OF ISSUE July 10, 1979  
Month Day Year

DATE EFFECTIVE July 10, 1979  
Month Day Year

ISSUED BY Archie McEntosh Chairman  
Name of Officer Title

West Irvine, Kentucky  
Address

P.S.C. Ky. No. \_\_\_\_\_

Original Sheet No. 3ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

RULES AND REGULATIONS

corner of Edgewood Estates and in the north right-of-way line of a county road; thence with the county road right-of-way and Edgewood Estates south 47° 04' west 564.9 feet to a corner; thence leaving Edgewood Estates and crossing the county road and the property of C. T. Williams south 23° 30' east 770 feet to a corner between the Housing Commission property and Mrs. Bertha Wallace's property; said corner being a corner to the existing corporate limits of the City of Irvine, Kentucky; thence with the northern boundary of the Housing Commission property, said boundary being also the existing northern corporate limits of the City of Irvine, Kentucky west 132.88 feet; north 37.30 feet; west 295 feet to a corner between the lands of the Housing Commission and Irvine High School, said corner also in Sweet Lick Creek; thence in a westerly direction with the meanders of Sweet Lick Creek and the property of Irvine High School 700 feet to the east right-of-way line of Kentucky 89; thence in a Westernly direction with the meanders of Sweet Lick Creek and the property of Irvine High School 700 feet to the East right-of-way line of Kentucky State Highway 89.

TRACT NO. 2: Beginning at the City limits of Irvine, Estill County, Kentucky, being the northern section of the said City of Irvine; thence in a Northernly direction on Kentucky Highway 89 for a distance of two and two-tenth (2-2/10) miles, all real property on both sides of said Highway.

TRACT NO. 3: Beginning at the intersection of Kentucky Highway No. 89 and Kentucky Highway No. 1705, known as the White Oak Road, and in Northeasternly direction on Kentucky Highway No. 1705 for a distance of three and three-tenth (3-3/10) miles, all real property on both sides of said Highway.

TRACT NO. 4: Beginning at the intersection of Kentucky Highway No. 1705 and Kentucky Highway No. 794, known as the Dry Branch Road, and in a Northernly direction for a distance five tenth (.5) mile, all real property on both sides of said Highway.

TRACT NO. 5: Beginning at the intersection of Kentucky Highway No. 1705 and Kentucky No. 1058, known as the right fork of White Oak Road, and in a Southeasternly direction for a distance of six tenth (.6) mile, all real property on both sides of said Highway.

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DATE EFFECTIVE July 10 1979  
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ISSUED BY James M. E. Lutz Chairman

West Irvine, Kentucky

Name of Officer

Title

Address

P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

ESTILL COUNTY WATER DISTRICT NO. 1

CANCELLING P.S.C. KY NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

## CLASSIFICATION OF SERVICE

RATE  
PER UNIT

## MONTHLY RATES

## 5/8"x3/4" Meter

First 2,000 gallons	\$ 10.28 (Minimum Bill)
Next 3,000 gallons	4.89 per 1,000 gallons
Next 5,000 gallons	4.74 per 1,000 gallons
Over 10,000 gallons	3.24 per 1,000 gallons

## 1" Meter

First 5,000 gallons	\$ 24.95 minimum bill
Next 5,000 gallons	4.74 per 1,000 gallons
Over 10,000 gallons	3.24 per 1,000 gallons

## 2" Meter

First 16,000 gallons	\$ 68.09 minimum bill
Over 16,000 gallons	3.24 per 1,000 gallons

Monthly Surcharge to Cobhill customers  
(in addition to existing rates)

\$ 4.81

## Bulk Loading Station

\$ 3.52 per 1,000 gallons

## Bulk Meter sales to Powells Valley Water Dist.

\$ 1.91 per 1,000 gallons

## Connection Charges 5/8"x3/4"

\$350.00 per connection

## All Others

Actual Cost of Installation

DATE OF ISSUE 9/23/99  
MONTH DATE YEARDATE EFFECTIVE 10/22/99 10-22-99  
MONTH DATE YEARISSUED BY Roy L. Embs  
SIGNATURE OF OFFICERTITLE ChairmanIssued by authority of an Order of the Public Service Commission of Kentucky in Ca  
No. \_\_\_\_\_ dated \_\_\_\_\_.

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 5

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. 7735

Original Sheet No. 4

### RULES AND REGULATIONS

The following rules and regulations are hereby adopted, subject to change by the Commissioners at any time, subject to approval of the Public Service Commission through the filing of revised tariff sheets with the Public Service Commission. These rules and regulations are intended to supplement any Bond Resolution, any Rate Resolution and the By-Laws.

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
- B. Service may be discontinued by the District for, upon 10 days' written notice (except that in the event of a violation under Item 7 below, Service may be terminated immediately), any violation of any rule, regulation or condition, and especially for any of the following reasons:
  1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
  2. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
  3. Resale of water.
  4. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

NOV 21 1991

PURSUANT TO 807 KAR 5:011.  
SECTION 9 (1)

BY:

*Glenn L. Bell*  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE Nov. 27, 1991  
Month Day Year

DATE EFFECTIVE Nov. 27, 1991  
Month Day Year

ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

RR #5, Irvine, KY 40336  
Address

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original          Sheet No. 6

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No.         

         Sheet No.         

RULES AND REGULATIONS

5. Tampering with meter, meter seal, service or valves, or permitting such tampering by others.

6. Connection, cross-connection or permitting the same, of any separate water supply to premises which receive water from the District.

7. When a dangerous condition is found to exist on the customer's or applicant's premises, with reference to the continuation of water service, water service shall be cut off without notice or shall be refused, provided the District shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the correction action to be taken by the applicant or customer before service can be restored.

C. Any customer desiring to discontinue the service to his premises for any reason must give notice of discontinuance in person, writing or phone at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinue service, and the customer shall not be liable for water consumed beyond the date of discontinuance stated in such notice; if such notice in person or in writing is not given, a customer shall remain liable for all water used and service rendered to such premises by the District until such notice is received by the District.

D. Bills and notices relating to the <sup>PUBLIC SERVICE COMMISSION</sup> ~~operation of the~~ <sup>of the</sup> business of the District will be mailed <sup>EFFECTIVE</sup> ~~the~~

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			Month Day Year				Month Day Year
ISSUED BY			Archie McIntosh,	Chairman			RR #5 Irvine KY 40336
			Name of Officer	Title			PUBLIC SERVICE COMMISSION

JUL 14 1992  
PURSUANT TO 207 KAR 50.11.  
SECTION 9 (1)  
BY: *[Signature]*

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 7

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. 7735

Revised Sheet No. 5

RULES AND REGULATIONS

customer at the address listed on the user's agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in said notice.

- E. Bills for water service are due and payable at the office of the District, or to any designated agent, on the date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.

All bills not paid on or before the past due date shall be deemed delinquent. When a bill has been delinquent for a period of twenty days, the District shall serve a customer a written final notice of said delinquency, and of the intent of the District to discontinue service ten days after the date of such notice unless such bill is paid prior to the expiration of such ten days. If a delinquent bill is not paid within ten days after date of such final notice (thirty days from the past due date), the water supply to the customer may be discontinued without further notice; provided, however, if, prior to discontinuance of service, there is delivered to the District, or to its employee empowered to discontinue service, a written certificate signed by a physician, a registered nurse or a public health officer that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident

PUBLIC SERVICE COMMISSION  
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EFFECTIVE

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SECTION 9 (1)

BY: Archie McIntosh  
PUBLIC SERVICE COMMISSION MANAGER

C 9-93

DATE OF ISSUE Nov. 27, 1991  
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DATE EFFECTIVE Nov. 27, 1991  
Month Day Year

ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

RR #5, Irvine, KY 40336  
Address

FOR Estill County, Kentucky

P.S.C. Ky. No. 2

Revised Sheet No. 7

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Original Sheet No. 7

Estill County Water District No.1

RULES AND REGULATIONS

- E. Bills for water service are due and payable at the office of the District, or to any designated agent, on the date of issue. the past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.

All bills not paid on or before the past due date shall be deemed delinquent. When a bill had been delinquent for a period of five days, the "District" shall serve a customer a written final notice of said delinquency, and of the intent of the "District" to discontinue service five days after the date of such notice unless such bill is paid prior to the expiration of such five days. If a delinquent bill is not paid within five days after date of such final notice (ten days from the past due date), the water supply to the customer may be discontinued without further notice.

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SEP 22 1993

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: Chap. Miller  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE 8 20 93  
Month Day Year

DATE EFFECTIVE 8 20 93  
Month Day Year

ISSUED BY Archie McIntosh  
Name of Officer

Chairman  
Title

76 old Richmond Rd. Irvine, KY  
Address

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original        Sheet No. 8

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No.       

       Sheet No.       

RULES AND REGULATIONS

can make other living arrangements or until thirty (30) days elapse from the time of the District's receipt of said certification, whichever occurs first.

- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of \$ 10.00 will be made for reconnection of service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid.
- G. The District reserves the right to request that a nominal amount be placed on deposit with the District for the purpose of establishing or maintaining any customer's credit, such amount not to exceed two-twelfths (2/12ths) of the estimated annual bill of such customer. Upon the payment of such deposit, the District shall issue to such customer a certificate of deposit, showing the name of the customer, the location of the initial premises occupied by the customer and the date and amount of the deposit. The District will pay to such customer interest on such deposit at a rate no greater than received and at no time exceed 6 percent annually.
- H. All meters shall be installed, renewed and maintained at the expense of the District, and the District reserves the right to determine the size and type of meter used.
- I. It shall be the policy of the District to test each meter at least once every 12 months. In addition, upon written request of any customer,

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EFFECTIVE

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DATE EFFECTIVE JUL 14 1992  
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ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

PURSUANT TO 807 KAR 5011, Yea  
SECTION 9(1) KY 40336  
BY Chris Adkins  
PUBLIC SERVICE COMMISSION MANAGER

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 9

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. 7735

Original Sheet No. 6

### RULES AND REGULATIONS

the meter serving such customer shall be tested by the District. Such test will be made without charge to the customer if the meter has not been tested within 12 months preceding the requested test; otherwise, a charge of \$2.00 will be made and then only if the test indicates meter accuracy within the limits of 2%.

If a meter is inaccurate in excess of 2%, whether upon periodic testing or upon requested testing, additional tests shall be made at once to determine the average error of the meter, and the adjustments shall be made in the customer's bills as follows:

1. If the result of such tests shows an average error greater than 2% fast, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the error existed cannot be determined with reasonable precision, the time period shall be estimated using such data as elapsed time since the last meter test, if applicable, and historical usage data for the customer. If that data is not available the average usage of similar customer loads shall be used for comparison purposes in calculating the time period. If the customer and utility are unable to agree on an estimate of the time period during which the error existed, the Commission shall determine the issue.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 14 1992

BY: Archie McIntosh  
PUBLIC SERVICE COMMISSION MANAGER  
DATE OF ISSUE Nov. 27, 1991  
Month Day Year

DATE EFFECTIVE Nov. 27, 1991  
PURSUANT TO 807 KAR 5:011  
SECTION 9(1) Day Yea.

ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

RR #5 Lexington KY 40336  
PUBLIC SERVICE COMMISSION MANAGER  
Address

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 10

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. 7735

Original Sheet No. 7

RULES AND REGULATIONS

2. In all instances of customer overbilling, the customer's account shall be credited or the overbilled amount refunded at the discretion of the customer within 30 days after final meter results. A customer will repay any underbilling over a similiar time period as the underbilling occured.

3. If the result of such tests necessitates making a refund or back billing a customer, the customer shall be notified in writing of the percentage of error, fast or slow, the date(s) of testing, and the amount of charge or credit to be shown on the next bill of the customer.

J. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six months consumption and the conditions of water service prevailing during the period in which the meter failed to register.

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EFFECTIVE

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PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: Shirley Deller  
PUBLIC SERVICE COMMISSION MANAGER

K. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay. When the service is interrupted all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

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Month Day Yr

ISSUED BY Archie McIntosh,

Chairman

RR #5, Irvine, KY 4033

NAME OF OFFICER

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 11

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

RULES AND REGULATIONS

L. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.

M. Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line and a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice.

N. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said premises, shall at all reasonable hours be subject to inspection by the District.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

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PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: George Heller  
PUBLIC SERVICE COMMISSION MANAGER

O. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.

P. An extension of fifty (50) feet or less to the District's distribution main shall be made without charge (other than the prescribed standard connection charge) for a prospective customer who shall

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Month Day Year

ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

RR #5, Irvine, KY 40336  
Address

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 12

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. 7735

Original Sheet No. 8

RULES AND REGULATIONS

apply for and contract to use service for one (1) year or more and who provides a guarantee for such service.

For each extension to the District's distribution main in excess of fifty (50) feet, the District shall require the customer to whose premises such extension is made to deposit with the District the total cost of the excessive footage over fifty (50) feet, based on the average estimated cost per foot of the total extension. Such deposit may be refundable to the customer in certain instances, in accordance with Title 807 KAR 5:066, Section 12(2)(b).

Q. If any loss or damage to the property of the District or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent or employee, as determined by a court of law having jurisdiction over the parties, the cost of the necessary repairs or replacements shall be paid by the customer to the District, and any liability otherwise resulting shall be that of the customer.

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EFFECTIVE

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R. Water furnished by the District may be used for domestic consumption by the customer, member of his household and employees only. The customer shall not sell the water to any other person.

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: George Heller  
PUBLIC SERVICE COMMISSION MANAGER

S. All customers shall grant or convey, or shall cause to be granted or conveyed, to the District a perpetual easement and right of way across any property owned or controlled by the customer wherever said easement or right of way is

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Month Day Year

ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

RR #5, Irvine, KY 40336  
Address

FOR ESTILL COUNTY, KENTUCKY

P.S.C. Ky. No. 2

Original Sheet No. 13

ESTILL COUNTY WATER DISTRICT NO. 1

Cancelling P.S.C. Ky. No. \_\_\_\_\_

\_\_\_\_\_ Sheet No. \_\_\_\_\_

RULES AND REGULATIONS

necessary for the District water facilities and lines so as to be able to furnish service to the customer.

- T. Complaints may be made to the operator of the system whose decision may be appealed to the Commissioners of the District within ten days; otherwise, the operator's decision will be final.

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BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE Nov. 27, 1991  
Month Day Year

DATE EFFECTIVE Nov. 27, 1991  
Month Day Year

ISSUED BY Archie McIntosh,  
Name of Officer

Chairman  
Title

RR #5, Irvine, KY 40336  
Address

## Form for filing Rate Schedules

FOR ESTILL COUNTY, KENTUCKY  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

1st Revised SHEET NO. 14ESTILL COUNTY WATER DISTRICT NO. 1

CANCELLING P.S.C. KY NO. \_\_\_\_\_

Original SHEET NO. 14

## CLASSIFICATION OF SERVICE

RATE  
PER UNIT

Water bills to all multi-unit premises, including duplexes, apartment buildings, trailer parks, mobile home parks, and premises containing both a permanent dwelling and a mobile home or trailer, having a single master meter, shall be computed by dividing the number of gallons of water registered by such master meter in each month by the number of units on such premises, and the bill for each unit shall be computed from the rate schedule. The amount of the unit bill so computed shall then be multiplied by the number of units on the premises on the day the meter is read, to establish the monthly bill for such premises. The minimum monthly bill to each multi-unit premises shall be the approved tariffed minimum bill by the number of units on the premises on the date the meter is read.

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OF KENTUCKY  
EFFECTIVE

MAR 05 1999

PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)BY Stephan R. R.DATE OF ISSUE 01 | 31 | 99  
MONTH DATE YEARDATE EFFECTIVE 01 | 31 | 99 3-5-99  
MONTH DATE YEAR

ISSUED BY

Roy L. Embs

SIGNATURE OF OFFICER

TITLE

ChairmanIssued by authority of an Order of the Public Service Commission of Kentucky in Ca  
No. \_\_\_\_\_ dated \_\_\_\_\_.

P.S.C. Ky. No. 2

1st Revised Sheet No. 15

Cancelling P.S.C. Ky. No. 2

Original Sheet No. 15

Estill County Water District No.1

RULES AND REGULATIONS

NEW EXTENSION POLICY

The "District" shall determine the total cost of the proposed water main extension (exclusive of the meter connections) and the total length of the extension. The "District" shall pay the portion of the cost of the water main extension equal to 50ft for each applicant for service. That part of the cost not covered by the "District's" portion shall be contributed equally by those applicants desiring service on the main extension. Each applicant will also be required to pay the "District's" approved "Tap-on-fee" for a meter connection to the main extension.

Each year, for a refund period of not less than ten (10) years, the "District" shall refund to the customer or customers who paid for the excessive footage the cost of fifty (50) feet of the extension in place for each additional customer connected during the year whose service line is directly connected to the extension install and no to extensions or laterals therefrom. Total amount refunded shall not exceed the amount paid the "District". No refund shall be made after the refund period ends.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
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SEP 22 1993

PURSUANT TO 807 KAR 5:011,  
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BY: Chapman  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE 8 20 93  
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DATE EFFECTIVE 8 20 93  
Month Day Year

ISSUED BY Archie McIntosh, Chairman, 76 Old Richmond Rd. Irvine, KY  
Name of Officer Title Address

ESTILL COUNTY W.D. #1

FOR \_\_\_\_\_

P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

Cancelling P.S.C. Ky. No. \_\_\_\_\_

heet No. \_\_\_\_\_

FIRST CLASS MAIL  
U.S. POSTAGE PAID

PERMIT NO. \_\_\_\_\_

FORWARD & ADDRESS CORRECTION

ACCOUNT NO.:

ITEM

AMOUNT

CODE

READING DATE

PREVIOUS READING

CURRENT READING

USAGE UC MR

AMOUNT

NET BILL  
DUE NOW

GROSS AMOUNT DUE  
AFTER DUE DATE

NET BILL DUE NOW:

GROSS BILL:

DUE AFTER

ENTER  
READING

RETURN STUB WITH PAYMENT

**ESTILL COUNTY WATER DSIT. #1  
76 OLD RICHMOND ROAD  
IRVINE, KY 40336**

ESTILL CO. WATER DISTRICT #1  
76 OLD RICHMOND RD., LP #1  
IRVINE, KY 40336  
(606) 723-3795

OFFICE HOURS

MONDAY THRU FRIDAY 8:00 A.M TO 4:00 P.M.

RATE SCHEDULES ARE AVAILABLE AT OFFICE OR WILL BE FURNISHED  
UPON WRITTEN REQUEST.

ENCLOSE THIS STUB  
WHEN PAYING BY MAIL  
FOR PROPER CREDIT

CODES: WT = WATER  
SWR = SEWER  
GS = GAS  
FP = FIRE PROTECTION  
TP = TRASH PICK-UP  
BC = BAD CHECK CHARGE  
SC = SERVICE CHARGE  
CF = CONNECTION FEE  
CR = CREDIT BALANCE  
AR = PAST DUE BALANCE  
TX = TAXES  
EA = ESTIMATION ADJUSTMENT  
EF = ESTIMATION FEES  
RA = RATE ADJUSTMENT

UC (USAGE CODES):  
E = ESTIMATED  
M = METER CHANGE

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 22 1993

PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)

BY: Cheryl Haller  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE \_\_\_\_\_

ISSUED BY \_\_\_\_\_

Name

APPROVED BY STATE BOARD OF ACCOUNTS

NOT RESPONSIBLE  
FOR MAIL DELIVERY

## Form for filing Rate Schedules

FOR ESTILL COUNTY, KENTUCKY  
Community, Town or CityP.S.C. NO. 2SHEET NO. 16CANCELLING P.S.C. NO. 8SHEET NO. GESTILL COUNTY WATER DISTRICT #1

Name of Issuing Corporation

## CLASSIFICATION OF SERVICE

RATE  
PER UNITDEPOSITS

The Company may require a minimum cash deposit or other guaranty to secure payment of bills

Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 278.460,<sup>1</sup> will be paid annually either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived upon a customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, a deposit may then be required. The Company may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

In determining whether a deposit will be required or waived, the following criteria will be considered:

1. Previous payment history with the Company. If the customer has no previous history with the Company, statements from other utilities, banks, etc. may be presented by the customer as evidence of good credit.
2. Whether the customer has an established income or line of credit.
3. Length of time the customer has resided or been located in the area.
4. Whether the customer owns property in the area.
5. Whether the customer has filed bankruptcy proceedings within the last seven years.
6. Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

If a deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or 10 percent for a non-residential customer, the Company may collect any underpayment and shall refund any overpayment by check or credit to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculation.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 14 1992

DATE OF ISSUE

ISSUED BY Archie McIntosh

Name of Officer

DATE EFFECTIVE

TITLE Chairman PURSUANT TO 807 KAR 5.011.

SECTION 9(1)

Issued by authority of an Order of the Public Service Commission of Kentucky  
in Case No. \_\_\_\_\_ dated \_\_\_\_\_  
PUBLIC SERVICE COMMISSION MANAGER

Form for filing Rate Schedules

FOR ESTILL COUNTY, KENTUCKY  
Community, Town or City  
P.S.C. NO. 2  
SHEET NO. 17  
CANCELLING P.S.C. NO. 8  
SHEET NO. G

ESTILL COUNTY WATER DISTRICT #1  
Name of Issuing Corporation

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

Equal Deposits

ALL

(Insert above: Business/Commercial or residential or all) Customers will pay equal deposits in the amount of \$ 40.00. This amount does not exceed the average bill of residential customers served by the Company and is equal to 2/12 of the average annual bill. [3/12 where bills are rendered bimonthly or 4/12 where bills are rendered quarterly.]

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 14 1992

PURSUANT TO 807 KAR 5.011.

DATE OF ISSUE \_\_\_\_\_ DATE EFFECTIVE \_\_\_\_\_ SECTION 9 (1)  
ISSUED BY Archie McIntosh TITLE Chairman  
Name of Officer BY: Chapman  
Issued by authority of an Order of the Public Service Commission of  
Kentucky  
in Case No. \_\_\_\_\_ dated \_\_\_\_\_

## Form for filing Rate Schedules

FOR ESTILL COUNTY, KENTUCKY  
Community, Town or City  
P.S.C. NO. 2 2  
SHEET NO. 18  
CANCELLING P.S.C. NO.             
original SHEET NO.           

ESTILL COUNTY WATER DISTRICT #1  
Name of Issuing Corporation

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

MONITORING OF CUSTOMER USAGE

At least once annually the Company will monitor the usage of each customer according to the following procedure:

1. The customer's annual usage for the most recent 12-month period will be compared with the annual usage for the 12 months immediately preceding that period.
2. If the annual usage for the two periods are substantially the same or if any difference is known to be attributed to unique circumstances, such as unusual weather conditions, common to all customers, no further review will be done.
3. If the annual usages differ by 100 percent or more and cannot be attributed to a readily identified common cause, the Company will compare the customer's monthly usage records for the 12-month period with the monthly usage for the same months of the preceding year.
4. If the cause for the usage deviation cannot be determined from analysis of the customer's meter reading and billing records, the Company will contact the customer by telephone or in writing to determine whether there have been changes such as different number of household members or work staff, additional or different appliances, changes in business volume, or known leaks in the customer's service line.
5. Where the deviation is not otherwise explained, the Company will test the customer's meter to determine whether it shows an average error greater than 2 percent fast or slow.
6. The Company will notify the customers of the investigation, its findings, and any refunds or backbilling in accordance with 807 KAR 5:006, Section 10(4) and (5).

In addition to the annual monitoring, the Company will immediately investigate usage deviations brought to its attention as a result of its on-going meter reading or billing processes or customer inquiry.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

DATE OF ISSUE                       
ISSUED BY Archie McIntosh  
Name of Officer  
Issued by authority of an Order of the Public Service Commission of  
Kentucky  
in Case No.                      dated                     

DATE EFFECTIVE JUL 14 1992  
TITLE Chairman

PURSUANT TO 807 KAR 5:011.

BY:                       
PUBLIC SERVICE COMMISSION

## Form for filing Rate Schedules

FOR ESTILL COUNTY, KENTUCKY  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

Original SHEET NO. 19ESTILL COUNTY WATER DISTRICT NO. 1

CANCELLING P.S.C. KY NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

## CLASSIFICATION OF SERVICE

RATE  
PER UNIT

## LEAK ADJUSTMENT POLICY

Adjustments are figured by the difference between an average water bill and the bill that reflects the leak. The adjustment is then based on the District assuming 50% of the loss and the customer is responsible for the other 50% of the loss plus the average bill. Even though an adjustment is to be considered the customer is still responsible for the bill and should they be disconnected for non-payment, the entire amount plus \$10.00 reconnect fee must be paid before service will be restored and any adjustment made will be credited to the account.

During the lifetime of the customer water service line, only two leak adjustments will be permitted. Each of these adjustment may cover a maximum of two billing periods. Before a third adjustment can be considered, the entire water service line from the meter box to the house or structure must be replace and evidence of this fact submitted before the third adjustment is given. If plastic pipe is used for any repair of underground water service lines, it must be no less than 200 p.s.i, CTS pipe. THE USE OF RADIATOR CLAMPS, KING NIPPLES, OR THE EQUIVALENT CANNOT BE ACCEPTED.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAR 05 1999

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)*Chadwick Bue*DATE OF ISSUE 01 / 31 / 99  
MONTH DATE YEARDATE EFFECTIVE 01 / 31 / 99 3-5-99  
MONTH DATE YEARISSUED BY Roy L. Emb  
SIGNATURE OF OFFICERTITLE ChairmanIssued by authority of an Order of the Public Service Commission of Kentucky in Ca  
No. \_\_\_\_\_ dated \_\_\_\_\_.

FOR \_\_\_\_\_

P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

**RULES AND REGULATIONS**

ESTILL Co. WATER DISTRICT 1

SERVICE TO	UNPAID BALANCE	PENALTY	PRESENT READING	PREVIOUS READING	GALLONS USED	WATER CHARGES	HYD. CHG.	SERVICE CHARGES	SALES TAX	TOTAL CHARGES		ACCOUNT NUMBER	AMOUNT DUE
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**ESTILL COUNTY WATER DISTRICT NO. 1**  
IRVINE, KENTUCKY 40336

**ESTILL COUNTY  
WATER DISTRICT NO. 1**  
76 OLD RICHMOND ROAD  
IRVINE, KENTUCKY 40336

B  
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RATE SCHEDULES ARE  
AVAILABLE AT OFFICE  
OR WILL BE FURNISHED  
ON WRITTEN REQUEST.

FIRE HYDRANT  
.50c PER MONTH

OFFICE OPEN  
8:00 TO 4:00  
MONDAY THRU FRIDAY

KEEP THIS PORTION FOR YOUR RECORDS  
10% ADDED ON ALL OVERDUE ACCOUNTS  
BILLS DUE 20th OF EACH MONTH

SERVICE TO		
MONTH	DAY	YEAR

**RETURN**  
THIS STUB WITH  
YOUR PAYMENT

345631

345631

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE**

**AUG 21 1992**

**PURSUANT TO 807 KAR 5:011.  
SECTION 9 (1)**

DATE OF ISSUE

Month Day Year

DATE EFFECTIVE

Month Day Year

ISSUED BY

Name of Officer

Title

Address

## Form for Filing Rate Schedules

For Estill County, Kentucky  
Community, Town or CityP.S.C. NO. 7335Original 8.1 SHEET NO. X

CANCELLING P.S.C. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

Estill County Water District #1  
Name of Issuing Corporation

## CLASSIFICATION OF SERVICE

RATE  
PER UNIT

## PURCHASED WATER ADJUSTMENT CLAUSE (cont.)

In the event a refund is received from the supplier for amounts previously paid, the following tabulations will be made:

1. Total refund received \$ \_\_\_\_\_
2. Total amount of water estimated to be sold during 2 month period beginning with the first day of the month following receipt of the refund \_\_\_\_\_ M Gal.
3. Refund factor per unit of water sold (Item 1 divided by Item 2) \_\_\_\_\_ ¢
4. The refund factor may be adjusted in the final month to more accurately reflect the amount to be refunded.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 29 1983

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: [Signature]DATE OF ISSUE September 29, 1983DATE EFFECTIVE September 29, 1983ISSUED BY [Signature]

TITLE

Chairman

FOR Southern Estill County

P.S.C. Ky. No. 7335

ORIGINAL Sheet No. 2 / 8.2

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

Estill County Water District #1

RULES AND REGULATIONS

Purchased Water Adjustment Clause

Upon increase or decrease in the wholesale rate of purchased water by its supplier, the utility may apply for an adjustment to its water rates in accordance with 807 KAR 5:067. The base rate for future application of the purchased water adjustment clause is:

<u>Supplier</u>	<u>Rate</u>
Irvine Municipal Utilities	\$1.16 per 1,000 gallon

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 29 1983

PURSUANT TO 807 KAR 5:011,

SECTION 9(1)

BY: *J. C. Neff*

DATE OF ISSUE September 29, 1983  
Month Day Year

DATE EFFECTIVE September 29, 1983  
Month Day Year

ISSUED BY *Randall M. Stutts* Chairman  
Name of Officer Title

Route 5, Irvine, Ky. 40336  
Address

## WATER SHORTAGE RESPONSE PLAN

### ESTILL COUNTY WATER DISTRICT NO. 1

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Estill County Water District No. 1 in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity <sup>RECEIVING</sup> water for any purpose from the Estill County Water District No. 1 water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site <sup>EFFECTIVE</sup> delivery.   
AUG 18 1988
- (b) "Raw Water Supplies" shall mean all water <sup>potentially</sup> available to persons in the Estill County Water District No. 1.   
PURSUANT TO SECTION 2
- (c) "Treated Water" shall mean <sup>BY: [Signature] PUBLIC SERVICE COMMISSION MANAGER</sup> that has been introduced by the Estill County Water District No. 1 into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

#### Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

##### Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

##### Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

##### Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

##### Public Use:

- firefighting,

- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboreta and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,
- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,

- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants ~~except~~ as needed to ensure public health and safety as approved by health officials.

Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

- (d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

(f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious treated water supply shortages.

"Alert" shall mean the treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

(h) "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicability. the provisions of this Plan shall apply to all retail and wholesale customers of the Estill County Water District #1. When implemented, this Plan becomes Estill County Water District #1's Water Shortage Response Regulation.

Section 4. Entitlements. PUBLIC SERVICE COMMISSION OF KENTUCKY shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Commissioners of the Estill County Water District #1.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to termination a water shortage declaration shall be made by the Commissioners of the Estill County Water District #1.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

- (1) Criteria: A water advisory shall be declared when the amount of treated water available for treatment is projected to be up to 10% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the Estill County Water District No. 1 draws water.

(2) Conservation and Curtailment Measures:

- (a) Declare a Water Shortage Advisory.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Request voluntary conservation of all non-essential (Class 3) water use.
- (e) Request wholesale customers also issue request for voluntary conservation of their customers of all non-essential (Class 3) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 15% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs.

(2) Conservation and Curtailment Measures:

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (Class 3) water uses.

- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
- (f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$3.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 20% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs.
2. Conservation and Curtailment Measures:
  - (a) Declare Water Shortage Emergency.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Prohibit all Class 3 uses of water.
  - (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
  - (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
  - (g) Curtail Residential entitlements by the same percentage as the projected shortage.
  - (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
  - (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$7.00 per 1,000 gallons.

PUBLIC SERVICE COMMISSION  
ORDINANCE NO. 100-100  
EFFECTIVE

AUG 18 1988

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: *[Signature]*  
SERVICE COMMISSION MANAGER

D. Rationing Stage:

1. Criteria: Treated water available is greater than 25% below demand or raw water supplies are below

the level necessary to meet essential needs, and in the opinion of the Commissioners, mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer water usage, in excess of curtailment entitlement, at the normal rate plus an excess usage charge of \$40.00 per 1,000 gallons.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
AUG 18 1988  
MAR 5 011  
SECTION 8  
BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard

before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

(a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Estill County Water District No. 1 for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

Section 10. Severability. If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.